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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To provide for a nonvoting delegate to the Senate to represent American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SAN NICOLAS introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for a nonvoting delegate to the Senate to represent American Samoa, the Commonwealth of the Northern Mariana Islands, Guam, Puerto Rico, and the Virgin Islands of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Territorial Representa-
5 tion in the Senate Act”.

1 **SEC. 2. DELEGATE TO SENATE FROM EACH TERRITORY.**

2 (a) NONVOTING DELEGATE.—Subject to local legisla-
3 tive approval in accordance with subsection (b), each Ter-
4 ritory shall be represented in the United States Congress
5 by a Delegate to the United States Senate. The Delegate
6 shall be a nonvoting Delegate in the Senate, elected as
7 provided in this Act.

8 (b) LOCAL LEGISLATIVE APPROVAL.—The local leg-
9 islature of each Territory shall—

10 (1) determine whether the Territory will be rep-
11 resented by a nonvoting delegate as authorized by
12 this Act; and

13 (2) establish such procedures as the legislature
14 may deem appropriate to modify the determination
15 described in paragraph (1).

16 **SEC. 3. ELECTION OF DELEGATE.**

17 (a) ELECTORS AND TIME OF ELECTION.—The Dele-
18 gate for a Territory shall be elected—

19 (1) by the people qualified to vote for the popu-
20 larly elected officials of the Territory;

21 (2) at the first Federal general election occur-
22 ring at least one year after the date of the enact-
23 ment of this Act and at each Federal general elec-
24 tion every 6 years thereafter; and

25 (3) at a special election, if required due to a
26 mid-term permanent vacancy.

1 (b) MANNER OF ELECTION.—

2 (1) IN GENERAL.—The Delegate shall be elect-
3 ed at large and by a plurality of the votes cast for
4 the office of Delegate.

5 (2) EFFECT OF ESTABLISHMENT OF PRIMARY
6 ELECTIONS.—Notwithstanding paragraph (1), if the
7 Government of the Territory, acting pursuant to leg-
8 islation enacted in accordance with the Constitution
9 or Organic Act of the Territory, provides for pri-
10 mary elections for the election of the Delegate, the
11 Delegate shall be elected by a majority of the votes
12 cast in any general election for the office of Delegate
13 for which such primary elections were held.

14 (c) VACANCY.—In case of a permanent vacancy in the
15 office of Delegate, the office of Delegate shall remain va-
16 cant until a successor is elected and qualified.

17 (d) COMMENCEMENT OF TERM.—The term of the
18 Delegate shall commence on the 3rd day of January fol-
19 lowing the date of the election.

20 **SEC. 4. QUALIFICATIONS FOR OFFICE OF DELEGATE.**

21 To be eligible for the office of Delegate a candidate
22 shall—

23 (1) be at least 30 years of age on the date of
24 the election;

1 (2) have been a citizen of the United States for
2 at least 9 years prior to the date of the election;

3 (3) be a resident and domiciliary of the Terri-
4 tory prior to the date of the election for a period to
5 be determined by the Government of the Territory;

6 (4) be qualified to vote in the Territory on the
7 date of the election; and

8 (5) not be, on the date of the election, a can-
9 didate for any other office.

10 **SEC. 5. DETERMINATION OF ELECTION PROCEDURE.**

11 Acting pursuant to legislation enacted in accordance
12 with the Constitution or Organic Act of the Territory, the
13 Government of the Territory may determine—

14 (1) the order of names on the ballot for election
15 of Delegate;

16 (2) the method by which a special election to fill
17 a permanent vacancy in the office of Delegate shall
18 be conducted;

19 (3) the method by which ties between can-
20 didates for the office of Delegate shall be resolved;
21 and

22 (4) all other matters of local application per-
23 taining to the election and the office of Delegate not
24 otherwise expressly provided for in this Act.

1 **SEC. 6. COMPENSATION, PRIVILEGES, AND IMMUNITIES.**

2 Until the Rules of the Senate are amended to provide
3 otherwise, the Delegate from the Territory shall receive
4 the same compensation, allowances, and benefits as a
5 Member of the Senate, and shall be entitled to whatever
6 privileges and immunities are, or hereinafter may be,
7 granted to any other member of the Senate, except that
8 a Delegate shall be nonvoting on final Senate votes.

9 **SEC. 7. DEFINITION.**

10 For purposes of this Act, the term “Territory”
11 means, individually, American Samoa, the Commonwealth
12 of the Northern Mariana Islands, Guam, Puerto Rico, and
13 the Virgin Islands of the United States.